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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,217	09/18/2003	Adrian C. Soncodi	1497/8/2	8473

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EXAMINER

HARPER, KEVIN C

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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06/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/666,217	Applicant(s) SONCODI ET AL	
	Examiner Kevin Harper	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some * c) ☐ None of:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/03, 10/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-2, 5-9, 15-17 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (US 2005/0058061) in view of Gordon (US 4,993,014).

1. Regarding claims 1-2, 5-9, 15-17 and 20-21, Shaffer discloses a redundant telephony call processing system comprising active and standby telephony call processing hosts (figs. 1 and 5) and a LAN (item 101) for carrying messages for the processing hosts. Further regarding claim 15, N=1 and a third backup processing host is provides (para. 22, last four lines).

2. However, Shaffer does not specifically disclose that the processing hosts are geographically distributed. Gordon discloses providing geographically distributed network control nodes (col. 10, lines 49-52). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have geographically distributed processing hosts in the

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invention of Shaffer in order to prevent a point failure from affecting both hosts (Gordon, col. 10, lines 49-52).

Claims 3-4 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (US 2005/0058061) in view of Gordon (US 4,993,014) as applied to claim 1 or 15 above, and in further view of Glitho et al. (US 2002/0160810).

3. Regarding claim 3-4 and 18-19, Shaffer in view of Gordon does not disclose SIP proxy servers or media gateway controllers. However, Glitho recognizes that control devices such as SIP proxy servers, media gateway controllers and H.323 gatekeepers are interchangeable (para. 20). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a SIP server or a media gateway controller in the invention of Shaffer in view of Gordon in order to provide a controller compatible with a particular signaling or control protocol as is known in the art (Glitho, para. 20).

Claims 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (US 2005/0058061) in view of Gordon (US 4,993,014) as applied to claim 9 above, and in further view of Westfall et al. (US 6,976,087).

4. Regarding claims 10-14, Shaffer in view of Gordon does not disclose separated LAN segments. Westfall discloses separated LAN segments joined by routers. The segments have different IP subnets. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have separate LAN segments in the invention of Shaffer in view of Gordon in order to interconnect private LAN segments (Westfall, col. 5, lines 5-6).

Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (US 2005/0058061) in view of Gordon (US 4,993,014), Westfall et al. (US 6,979,087) and Chien et al. (US 2002/0165972).

5. Regarding claims 22-23, Shaffer in view of Gordon and Westfall disclose a method for routing packets among between geographically separate processing hosts as noted in the rejection of claims 10-14 above. However, Shaffer in view of Gordon and Westfall does not disclose using masking to route packets. Chien discloses using subnet masks to route data packets (para. 60). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to use masking in the invention of Shaffer in view of Gordon and Westfall in order to properly route data within the network (Chien, para. 60).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reached at 571-272-2092. The centralized fax number for the Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Kevin C. Harper', with a stylized, cursive script.

Kevin C. Harper

May 29, 2007